

**ORDINANCE 2016-11 OF THE TOWNSHIP OF BERLIN, COUNTY OF CAMDEN,
AND STATE OF NEW JERSEY, AMENDING, REVISING, AND/OR
SUPPLEMENTING CHAPTER 109 OF THE CODE OF THE TOWNSHIP OF BERLIN
ENTITLED "BUILDINGS, PUBLIC"**

WHEREAS, the Governing Body of the Township of Berlin has determined that it would be appropriate to establish policies and procedures for the use of Township-owned buildings; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Township by law; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and the Township Council of the Township of Berlin, as follows:

SECTION 1: Chapter 109 of the Berlin Township Code, entitled "Buildings, Public," is hereby amended, revised and/or supplemented by creating new articles as follows:

Chapter 109. Buildings, Public

Article 1: Use of Public Facilities

Section 109-1 Purpose

Section 109-2 Policies and Procedures established

Article 2: Prohibited Conduct

Section 109-3 Prohibition

Section 109-4 Definitions

Section 109-5 Violations and Penalties

SECTION 2: Article II of Chapter 109 of the code of the Township of Berlin shall read as follows:

Article 2: Prohibited Conduct

Section 109-3 Prohibition

Smoking is prohibited on all property owned by the Township of Berlin.

Section 109-4 Definitions

Property is defined as all buildings or structures, public works, facilities, parking lots, open space, parks, recreation areas, and any other real property owned by Berlin Township.

Section 109-5 Violations and Penalties

Any person who violates this article of the code of the Township of Berlin shall be subject to a fine of not more than \$100.

SECTION 3: Except as set forth in Section 1 and 2 above, the balance of the Code of the Township of Berlin shall not be affected by this Ordinance.

SECTION 4: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6: This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Notice is hereby given that the foregoing Ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Berlin, Camden County, New Jersey on May 9, 2016 and the same was ordered published pursuant to statute. Said ordinance will be further considered for final adoption at a meeting of the Mayor and Council of the Township of Berlin on June 13, 2016 at 5:30 p.m. at the Berlin Township Municipal Hall, 135 Route 73 South, West Berlin, NJ.

Catherine Underwood
Township Clerk